

## REMARKS

The Office Action dated May 18, 2005 has been received and carefully considered. In this response, claims 1 and 25 have been amended. Support for the amendments may be found in the specification and drawings as originally filed. Reconsideration of the outstanding objections and rejections in the present application is respectfully requested based on the following remarks.

### Telephonic Interview of July 12, 2005

At the outset, the undersigned thanks the Examiner for the courtesies extended during the telephonic interview conducted on July 12, 2005 (hereinafter, "the Interview"). As discussed during the Interview, and as acknowledged by the Examiner, the combinations of the cited references fail to disclose or suggest at least the features of capturing the native command sets for subsequent performance analysis.

### Allowability of Claims 7-9, 19, 31-33, 43, 57-59, and 69

The Applicant notes with appreciation the indication that claims 7-9, 19, 31-33, 43, 57-59, and 69 would be allowable if rewritten in independent form. The Applicant has elected to forego rewriting the claims in view of the current amendments and the remarks provided herein.

### Amendments for Clarification

Independent claims 1, 25 and 49 and dependent claims 2, 4-6, 12-18, 20, 27-30, 34-42, 44, 51-56, 62-66, 68 and 70 were rejected under 35 U.S.C. 103(a) as being unpatentable over various combinations of Rentschler (U.S. Patent No. 5,920,326), "Open GL Programming Guide" by Mason Woo, Jackie Neider and Tom Davis (hereinafter "Woo"), "Official Notice," and Hochmuth (U.S. Patent No. 6,597,689). These rejections are respectfully traversed.

Independent claims 1 and 25 have been amended to clarify that the native command set is captured and stored in a database for subsequent performance analysis. As acknowledged by the Examiner during the Interview, none of the cited references teaches or suggests, alone or in combination, this feature.

Independent claim 49 recites the features of capturing a native command set in a database and executing the command set to determine graphics processing performance. The Office

Action does not specifically address how any of the proposed combinations of the cited references disclose or suggest this feature. Moreover, as acknowledged by the Examiner during the Interview, none of the cited references discloses or suggests this feature.

In view of the foregoing, it is respectfully submitted that the obviousness rejections of independent claims 1, 25 and 49 and their corresponding dependent claims are improper at this time and withdrawal of these rejections therefore is respectfully requested.

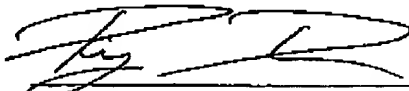
#### Conclusion

The Applicant respectfully submits that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

18 Aug 2005  
Date

  
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